

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Village Construction Co., Inc. ----- X

Plaintiff,
-against-

CED Construction Partners, LTD.,

Defendant.

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CED Construction Partners, LTD.,

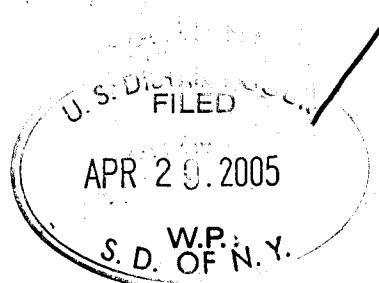
Counterclaim Plaintiff,

-against-
Village Construction Co., Inc., and
Colonial Surety Company,

Counterclaim Defendants.

03 CV 799 (CLB)
JUDGMENT

05-0146 W.P.



Defendant CED Construction Partners, Ltd., having moved pursuant to Fed. R. Civ. P. 60(a) to correct a claimed clerical error in the Court's Memorandum & Order dated March 1, 2005, and said motion having come before the Honorable Charles L. Brieant, United States District Judge, and the Court thereafter on April 29, 2005, having handed down its Memorandum and Order, granting defendant CED's motion to correct a clerical error as to the Site Improvement Subcontract, and denying it as to the Concrete Subcontract, and granting Plaintiff Village Construction Co., Inc.,'s motion to correct a clerical error in the Court's March 1, 2005 Memorandum and Order, and granting its request for prejudgment interest, and denying it in all other respects, thereby correcting Village's total award to \$35,589.71, plus interest at the New York State legal rate of 9% from November 18, 2002 to March 1, 2005, it is,

ORDERED, ADJUDGED AND DECREED: That Village Construction Co., Inc.'s total award is corrected to \$35,589.71, plus interest at the New York State legal rate of 9% from November 18, 2002 to March 1, 2005.

DATED: White Plains, N.Y.
April 29, 2005

J. Michael Mallahon
Clerk